

**DEPARTMENT OF FISH AND GAME**

BAY DELTA REGION

(707) 944-5520

Mailing address:

POST OFFICE BOX 47

YOUNTVILLE CALIFORNIA 94599

Street address:

7329 SILVERADO TRAIL

NAPA CALIFORNIA 94558



April 30, 2008

Notification Number: 1600-2007-0443-3

Judy Chen/Caltrans District 4  
Post Office Box 23660  
Oakland, CA 94623

**1602 LAKE AND STREAMBED ALTERATION AGREEMENT**

This agreement is issued by the Department of Fish and Game pursuant to Division 2, Chapter 6 of the California Fish and Game Code:

**WHEREAS**, the Applicant Judy Chen/Caltrans District 4, submitted a signed NOTIFICATION proposing to substantially divert or obstruct the natural flow of, or substantially change the bed, channel, or bank of, or use material from the streambed or lake of the following water: unnamed stream and Sabrecat Creek, located along I-680, in the County of Alameda, State of California; and

**WHEREAS**, the Department has determined that such operations may substantially adversely affect existing fish and wildlife resources including water quality, hydrology, aquatic or terrestrial plant or animal species; and

**WHEREAS**, the project has undergone the appropriate review under the California Environmental Quality Act; and

**WHEREAS**, the Applicant shall undertake the project as proposed in the signed PROJECT DESCRIPTION and PROJECT CONDITIONS (attached). If the Applicant changes the project from that described in the PROJECT DESCRIPTION and does not include the PROJECT CONDITIONS, this agreement is no longer valid; and

**WHEREAS**, the agreement shall expire on December 31, 2012; with the work to occur between June 1 and October 31; and

**WHEREAS**, nothing in this agreement authorizes the Applicant to trespass on any land or property, nor does it relieve the Applicant of the responsibility for compliance with applicable Federal, State, or local laws or ordinances. Placement, or removal, of any material below the level of ordinary high water may come under the jurisdiction of the U. S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act;

**THEREFORE**, the Applicant may proceed with the project as described in the PROJECT DESCRIPTION and PROJECT CONDITIONS. A copy of this agreement, with attached PROJECT DESCRIPTION and PROJECT CONDITIONS, shall be provided to contractors and subcontractors and shall be in their possession at the work site.

Failure to comply with all conditions of this agreement may result in legal action.

This agreement is approved by:

A handwritten signature in blue ink, appearing to read "Charles Armor", is written over the text "This agreement is approved by:".

Charles Armor  
Regional Manager  
Bay Delta Region

cc: Warden Jacobsen  
Lieutenant Christensen

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7329 SILVERADO TRAIL

NAPA, CALIFORNIA 94558

Notification Number: **1600-2007-0443-3****Unnamed Creek, Alameda County****Judy Chen / Caltrans District 4****Post Office Box 23660****Oakland, CA 94623****PROJECT DESCRIPTION and PROJECT CONDITIONS****Description**

The project is located along Interstate 680(I-680) from the I-680 SR 238 interchange in the City of Fremont in Alameda County to the Stoneridge Drive interchange in the City of Pleasanton in Alameda County. The I-680 Sunol Grade HOV lane project involves construction of a southbound HOV lane, auxiliary lane, ramp metering, and related improvements along a 9.9 mile stretch of I-680. The proposed project includes impacts to riparian habitat along an unnamed creek. The creek is located within the Alameda Creek watershed, just south of Andrade Road exit ramp. No construction activities are proposed within the creek; however, the riparian habitat adjacent to the creek will be permanently affected during construction of a retaining wall.

Permanent impacts to the riparian area include removal of 26 trees which will be replaced offsite at the Sabrekat Creek Mitigation Site, located on the east side of Interstate 680 at Sabrekat Creek, just south of the Washington Boulevard off ramp, in Fremont. The proposed mitigation will involve the removal of a segment of existing culvert to daylight portions of the creek and its adjacent tributary, which will result in the creation of seasonal wetland and riparian habitats. The created wetlands will be planted with appropriate native species, and will serve as a retention area for water flowing from the creek, overflowing into a box culvert. Riparian vegetation will be restored around the fringe of the wetland with oak woodland habitat planted in adjacent uplands.

The Sabrekat Creek Mitigation Site will be monitored and maintained for approximately five years following implementation, or until the site meets the success criteria established in the Comprehensive Mitigation and Monitoring Plan, which will be submitted for DFG approval prior to the start of construction.

**Conditions**

1. Work within the stream/riparian corridor shall be confined to the period June 1 to October 31.

*EJ*



2. If the Applicant needs more time to complete the authorized activity, the work period may be extended on a day-to-day basis by Marcia Grefsrud at [mgrefsrud@dfg.ca.gov](mailto:mgrefsrud@dfg.ca.gov), (707)644-2812 or the Yountville office at (707) 944-5520.
3. The work period for completing the work within the stream zone, shall be restricted to periods of low or no stream flow and dry weather. Excavation for and placement of the fill shall not begin unless a no precipitation forecast is obtained covering the entire construction phase (within the area covered in this agreement) and the time necessary to implement erosion control measures. This forecast shall be documented upon request by the Department.
4. No phase of the project may be started if that phase and its associated erosion control measures cannot be completed prior to the onset of precipitation if that construction phase may cause the introduction of sediments into the stream. After any storm event, the Applicant shall inspect all sites currently under construction and all sites scheduled to begin construction within the next 72 hours for erosion and sedimentation problems and take corrective action as needed. Seventy-two-hour weather forecasts from the National Weather Service shall be consulted prior to start up of any phase of the project that may result in sediment runoff to the stream, and construction plans made to meet this condition.
5. No equipment shall be operated within the live stream.
6. Prior to commencement of work within the stream zone, the Applicant shall photograph the project site. Upon completion of work activities, the Applicant shall photograph the project site at designated photo stations. Labeled copies of photographs shall be sent to the Department of Fish and Game within 5 days of completion of the project. Notification shall be sent to the Department at P.O. Box 47, Yountville, CA 94599. Refer to Notification 1600-2007-0443-3 when notifying the Department.
7. Silt control measures shall be utilized throughout all phases of the project where silt and/or earthen fill threaten to enter Waters of the State. Silt control structures shall be monitored for effectiveness and shall be repaired or replaced as needed. Build up of soil behind the fence shall be removed promptly and any breaches or undermined areas repaired at once.
8. The disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations. Precautions shall be taken to avoid other damage to vegetation by people or equipment. The disturbed portions of the stream channel shall be restored to as near their original condition as possible.
9. In order to ensure exclusion of the special status species and limit contractor's access outside of the construction area an environmentally sensitive area (ESA) fence shall be installed around the work site. Prior to any ground disturbing activities preconstruction



surveys will be conducted by a DFG and Service approved biologist for Alameda whipsnake, California tiger salamander and California red-legged frog. If any special status species are found they shall be allowed to leave the area on their own or they shall be relocated by a biologist, possessing all necessary State and Federal permits. This agreement does not authorize the take of any state or federally listed species. Liability for any take or incidental take of such listed species remains the responsibility of the Operator for the duration of the project. Any unauthorized take of such listed species may result in prosecution and nullification of the agreement.

10. No trees shall be disturbed that contain active bird nests until all eggs have hatched and young birds have fledged. To avoid potential impact to tree nesting birds, trees and shrubs designated for removal should be cut down during the time period of August 15 to January 15. Trees may be removed between January 15 and August 15 provided the Operator has a qualified biologist survey the proposed work area to verify the presence or absence of nesting birds. The detailed survey shall be submitted to the Department for review and comment prior to commencement of tree removal. At the discretion of Department, tree removal may be authorized between the period of January 15 and August 15. The Operator is advised that the U. S. Fish & Wildlife Service regulates activities that may be covered under the Migratory Bird Treaty Act. The Operator is advised to contact the U. S. Fish & Wildlife Service prior to removing trees with active nesting. Vegetation shall be "downed" in such a manner as to minimize disturbance to stable soil conditions. If vegetation removal will occur between January 15 and August 15 a qualified biologist shall conduct pre-construction surveys for nesting birds no more than one week prior to construction. If nesting birds are found a 50-foot radius buffer should be established around the nest, a 300-foot radius buffer in the case of hawks and owls. The area should be fenced and avoided until the young have fledged, as determined by a qualified biologist.
11. All exposed/disturbed areas and access points within the stream zone left barren of vegetation as a result of the construction activities shall be restored by seeding with a blend native and non-native erosion control grass seeds. Seeded areas shall be mulched. All other areas of disturbed soil which drain toward the stream channel shall be seeded with erosion control grass seeds. Revegetation shall be completed as soon as possible after construction activities in those areas cease. Seeding placed after October 15 must be covered with broadcast straw, jute netting, coconut fiber blanket or similar erosion control blanket. Erosion control blankets with monofilament shall not be used.
12. The operator shall avoid (or at the very least, minimize) the removal of all trees and the disturbance to their root systems. Potentially impacted trees shall be monitored for a period of five (5) years and replaced with native trees which are suitable ecologically to the project area. For each native tree that is removed or damaged, trees shall be replaced with native trees on-site or at an offsite location approved by DFG, at a minimum 3:1 ratio (replacement: loss). For each non-native tree that is removed or damaged, trees shall be replaced with native trees on-site at a minimum 1:1 ratio (replacement: loss). Oaks shall be replaced at a ratio of 5:1. For each tree removed that was previously



planted as mitigation for construction of I-680 the ratio shall be 6:1. If the trees are oaks the ratio shall be 8:1.

13. Disturbed areas shall be protected with correctly installed erosion control measures (jute, straw, coconut fiber erosion control fabric, coir logs, straw), and revegetated with propagules (seeds, cuttings, divisions) of locally collected native plants. Erosion control blankets with monofilament shall not be used.
14. Mitigation at the Sabrecat site shall be completed as proposed in the Streambed Alteration Notification for 1600-2007-0443-3 unless otherwise stated in this Agreement.
15. All required planting or mitigation shall be done between October 15 and December 31 immediately following the impacts of the year the impacts occurred. Failure to implement the mitigation (planting or creation) during the required time period will result in additional mitigation for the temporal loss of habitat. The additional mitigation will include the upsizing of plant material one container size above the originally specified container size for all plants not installed during the required time period, and payment of a monetary donation to a local land trust in an amount equal to the amount of the applicant's cost to implement the approved mitigation that was not installed during the required time period.
16. In the event that the project scope, nature, or environmental impact is altered by the imposition of subsequent permit conditions by any local, state or federal regulatory authority, the Applicant shall notify the Department of any imposed project modifications that interfere with compliance to Department conditions.
17. A copy of this agreement must be provided to the contractor and all subcontractors who work within the stream zone and must be in their possession at the work site.
18. Building materials and/or construction equipment shall not be stockpiled or stored where they could be washed into the water or where they will cover aquatic or riparian vegetation.
19. Debris, soil, silt, bark, rubbish, creosote-treated wood, raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic life, resulting from project related activities, shall be prevented from contaminating the soil and/or entering the waters of the state. Any of these materials, placed within or where they may enter a stream or lake, by Applicant or any party working under contract, or with the permission of the Applicant, shall be removed immediately.
20. The contractor shall not dump any litter or construction debris within the riparian/stream zone. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.



21. Department personnel or its agents may inspect the work site at any time.
22. The Applicant is liable for compliance with the terms of this Agreement, including violations committed by the contractors and/or subcontractors. The Department reserves the right to suspend construction activity described in this Agreement if the Department determines any of the following has occurred:
  - A). Failure to comply with any of the conditions of this Agreement
  - B). Information provided in support of the Agreement is determined by the Department to be inaccurate.
  - C). Information becomes available to the Department that was not known when preparing the original conditions of this Agreement (including, but not limited to, the occurrence of State or federally listed species in the area or risk to resources not previously observed)
  - D). The project as described in the Agreement has changed or conditions affecting fish and wildlife resources change.

Any violation of the terms of this Agreement may result in the project being stopped, a citation being issued, or charges being filed with the District Attorney. Contractors and subcontractors may also be liable for violating the conditions of this agreement.

#### **Amendments and Extensions of Expiration Date**

The Applicant shall notify the Department before any modifications are made in the project plans submitted to the Department. Project modifications may require an amendment or a new notification. To modify the project, a written request for an amendment must be submitted to the Department (1600 Program, Post Office Box 47, Yountville, California 94599). An amendment requires a fee. The Fee Schedule can be obtained at [www.dfg.ca.gov/1600](http://www.dfg.ca.gov/1600) or by phone at (707) 944-5520. Amendments to the original Agreement are issued at the discretion of the Department. This Agreement is transferable to subsequent owners of the project property by requesting an amendment.

To renew the Agreement beyond the expiration date, a written request for an extension must be submitted to the Department (1600 Program, Post Office Box 47, Yountville, California 94599) for consideration at least 30 days before the Agreement expiration date. An extension requires a fee. Extensions of the original Agreement are issued at the discretion of the Department.



*Please note that you may not proceed with construction until your proposed project has undergone CEQA review and the Department signs the Agreement.*

*I, the undersigned, state that the above is the final description of the project I am submitting to the Department for CEQA review, leading to an Agreement, and agree to implement the conditions above required by the Department as part of that project. I will not proceed with this project until the Department signs the Agreement. I also understand that the CEQA review may result in the addition of measures to the project to avoid, minimize, or compensate for significant environmental impacts:*

Applicant's name (print): EMILY LANDIN-LOWE for Judy Chen

Applicant's signature: Emily Landin-Lowe

Signed the 25<sup>th</sup> day of March, 2008



## FOR DEPARTMENT USE ONLY

Date Received	Amount Received	Amount Due	Date Complete	Notification No.
9/10/07	\$4000.00	\$		1600-2007-0443-3



ck# 082-197732  
CA Dept of Transportation

STATE OF CALIFORNIA  
DEPARTMENT OF FISH AND GAME

## NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Corefered  
Jacobson  
Barnett  
Christensen



Complete EACH field, unless otherwise indicated, following the enclosed instructions and submit ALL required enclosures. Attach additional pages, if necessary.

## 1. APPLICANT PROPOSING PROJECT

Name	Judy Chen, District Division Chief - Design East		
Business/Agency	California Department of Transportation (Caltrans) - District 4		
Street Address	11 Grand Avenue, Mail Station 8E		
City, State, Zip	Oakland, CA 94612 (Mailing Address: P.O. Box 23660, Oakland, CA 94623)		
Telephone	(510) 622-0812	Fax	(510) 286-6965
Email	judy_chen@dot.ca.gov		

## 2. CONTACT PERSON (Complete only if different from applicant)

Name	Margaret Gabil, District Branch Chief		
Street Address	111 Grand Avenue, Mail Station 8E		
City, State, Zip	Oakland, CA 94612 (Mailing Address: P.O. Box 23660, Oakland, CA 94623)		
Telephone	(510) 286-6222	Fax	(510) 286-6374
Email	margaret_gabil@dot.ca.gov		

## 3. PROPERTY OWNER (Complete only if different from applicant)

Name			
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

## 4. PROJECT NAME AND AGREEMENT TERM

A. Project Name		Southbound Interstate 680 Sunol Grade Modified HOV Widening Project		
B. Agreement Term Requested		<input checked="" type="checkbox"/> Regular (5 years or less)		
		<input type="checkbox"/> Long-term (greater than 5 years)		
C. Project Term		D. Seasonal Work Period		E. Number of Work Days
Beginning (year)	Ending (year)	Start Date (month/day)	End Date (month/day)	
2008	2012	05/15	10/15	1,460.00



# NOTIFICATION OF LAKE OR STREAMBED ALTERATION

## 5. AGREEMENT TYPE

Check the applicable box. If box B, C, D, or E is checked, complete the specified attachment.

A.	<input checked="" type="checkbox"/> Standard ( <i>Most construction projects, excluding the categories listed below</i> )	
B.	<input type="checkbox"/> Gravel/Sand/Rock Extraction ( <i>Attachment A</i> )	Mine I.D. Number: _____
C.	<input type="checkbox"/> Timber Harvesting ( <i>Attachment B</i> )	THP Number: _____
D.	<input type="checkbox"/> Water Diversion/Extraction/Impoundment ( <i>Attachment C</i> )	SWRCB Number: _____
E.	<input type="checkbox"/> Routine Maintenance ( <i>Attachment D</i> )	
F.	<input type="checkbox"/> DFG Fisheries Restoration Grant Program (FRGP)	FRGP Contract Number: _____
G.	<input type="checkbox"/> Master	
H.	<input type="checkbox"/> Master Timber Harvesting	

## 6. FEES

Please see the current fee schedule to determine the appropriate notification fee. Itemize each project's estimated cost and corresponding fee. **Note: The Department may not process this notification until the correct fee has been received.**

A. Project		B. Project Cost	C. Project Fee
1	Southbound Interstate 680 Sunol Grade Modified HOV Widening Project	\$105,000,000.00	\$4,000.00
2			
3			
4			
5			
		D. Base Fee (if applicable)	
		E. TOTAL FEE ENCLOSED	\$4,000.00

## 7. PRIOR NOTIFICATION OR ORDER

A. Has a notification previously been submitted to, or a Lake or Streambed Alteration Agreement previously been issued by, the Department for the project described in this notification?	
<input type="checkbox"/> Yes ( <i>Provide the information below</i> )	<input checked="" type="checkbox"/> No
Applicant: _____ Notification Number: _____ Date: _____	
B. Is this notification being submitted in response to an order, notice, or other directive ("order") by a court or administrative agency (including the Department)?	
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes ( <i>Enclose a copy of the order, notice, or other directive. If the directive is not in writing, identify the person who directed the applicant to submit this notification and the agency he or she represents, and describe the circumstances relating to the order.</i> )	
<input type="checkbox"/> Continued on additional page(s)	



# NOTIFICATION OF LAKE OR STREAMBED ALTERATION

## 8. PROJECT LOCATION

### A. Address or description of project location.

*(Include a map that marks the location of the project with a reference to the nearest city or town, and provide driving directions from a major road or highway)*

The proposed project is located along Interstate 680 (I-680), from the I-680/State Route (SR) 237 interchange in the City of Milpitas, Santa Clara County (kilometer post [KP]12.2/16.0) (post mile [PM] 7.6/9.9) to the Stoneridge Drive interchange in the City of Pleasanton, Alameda County (KP 0.0/35.2 [PM 0.0/21.9]) (Figure 1, contained in Section 8 of the Attachments).

The proposed project will temporarily affect riparian habitat along an unnamed creek. The creek is located within the Alameda Creek watershed, just south of the Andrade Road exit ramp at KP 14.28/14.44 (PM 8.87/8.98) (Figure 2 in Section 8 of the Attachments and Engineer Drawings [Station R76+90 through R78+10] contained in Section 10 of the Attachments).

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B. River, stream, or lake affected by the project. Unnamed creek just south of Andrade Road (Figures 2 and 3).

C. What water body is the river, stream, or lake tributary to? Alameda Creek

D. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts? ☐ Yes ☒ No ☐ Unknown

E. County Alameda County

F. USGS 7.5 Minute Quad Map Name	G. Township	H. Range	I. Section	J. ¼ Section
Niles 7.5-Minute Quadrangle	4 South	1 East	19	SE

☐ Continued on additional page(s)

K. Meridian (check one) ☐ Humboldt ☒ Mt. Diablo ☐ San Bernardino

L. Assessor's Parcel Number(s)

Caltrans Right-of-Way

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M. Coordinates (If available, provide at least latitude/longitude or UTM coordinates and check appropriate boxes)

Latitude/Longitude	Latitude:		Longitude:	
	<input type="checkbox"/> Degrees/Minutes/Seconds		<input type="checkbox"/> Decimal Degrees	
<input type="checkbox"/> Decimal Minutes				
UTM	Easting: 597426	Northing: 4158469	<input checked="" type="checkbox"/> Zone 10 <input type="checkbox"/> Zone 11	
Datum used for Latitude/Longitude or UTM		<input type="checkbox"/> NAD 27 <input checked="" type="checkbox"/> NAD 83 or WGS 84		



# NOTIFICATION OF LAKE OR STREAMBED ALTERATION

## 9. PROJECT CATEGORY AND WORK TYPE (Check each box that applies)

PROJECT CATEGORY	NEW CONSTRUCTION	REPLACE EXISTING STRUCTURE	REPAIR/MAINTAIN EXISTING STRUCTURE
Bank stabilization – bioengineering/recontouring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bank stabilization – rip-rap/retaining wall/gabion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Boat dock/pier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Boat ramp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bridge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Channel clearing/vegetation management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Culvert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Debris basin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Diversion structure – weir or pump intake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Filling of wetland, river, stream, or lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical survey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Habitat enhancement – revegetation/mitigation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Levee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Low water crossing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Road/trail	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sediment removal – pond, stream, or marina	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Storm drain outfall structure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Temporary stream crossing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Utility crossing : Horizontal Directional Drilling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jack/bore	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Open trench	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



# NOTIFICATION OF LAKE OR STREAMBED ALTERATION

## 10. PROJECT DESCRIPTION

- A. Describe the project in detail. Photographs of the project location and immediate surrounding area should be included.
- Include any structures (e.g., rip-rap, culverts, or channel clearing) that will be placed, built, or completed in or near the stream, river, or lake.
  - Specify the type and volume of materials that will be used.
  - If water will be diverted or drafted, specify the purpose or use.

Enclose diagrams, drawings, plans, and/or maps that provide all of the following: site specific construction details; the dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; an overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, and where the equipment/machinery will enter and exit the project area.

The I-680 Sunol Grade HOV lane project involves construction of a southbound HOV lane, auxiliary lane, ramp metering, and related improvements along a 35-km (21.7-mi) stretch of I-680 (Figure 1). This project includes a pilot Smart lane concept which will be incorporated into the HOV lane and will allow solo drivers to use the HOV lane for a fee along with the carpool drivers. The Smart lane is also known as a HOT lane or high occupancy toll lane. The overall scope of work involves widening the freeway and slopes to accommodate shoulders and four auxiliary lanes, widening eight bridges, installation of retaining walls, drainage systems, new signs including large overhead signs, concrete slab replacement, striping of the roadway, and installation of ramp metering and electrical equipment at select locations. The major work consists of outside shoulder widening. Existing loop ramp and right-of-way (ROW) areas will be used for staging, access, and supporting facilities such as electrical equipment and signage.

Facilities to be constructed include four auxiliary lane segments extending from the Jacklin Road on-ramp to the Washington Boulevard off-ramp. The project will widen the existing roadway from 4 meter (m) to 6 m (13 feet [ft] to 20 ft) between Mission Boulevard (SR 238) and Andrade Road. This width includes an additional eight feet required to convert HOV to HOT lane. Jacklin Road will also be widened to these specifications. Existing bridges located at Calaveras Boulevard, South Department of Water Resources (DWR), North DWR, East Warren Avenue, North Mission Boulevard (SR 238), and Vargas Road span various local streets, and therefore will also be widened and retrofitted to accommodate additional traffic lanes. In addition, a new structure will be constructed at Vargas Road to split the southbound off-ramp from the existing mainline structure.

Implementation of the project is expected to impact riparian habitat adjacent to an unnamed tributary to Alameda Creek, located just south of Andrade Road (Figures 2 and 3). No construction activities are proposed within the creek; however, the riparian habitat adjacent to the creek will be temporarily affected during construction of a retaining wall, which is shown in the Engineering Drawings at Station R76+90 through R78+10 (Layout Sheet #54).

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- B. Specify the equipment and machinery that will be used to complete the project.

Construction equipment proposed for use in constructing the retaining wall include a range of earth moving equipment such as bull dozers, excavators, and dump trucks for importing or exporting materials from the site.

☐ Continued on additional page(s)

- C. Will water be present during the proposed work period (specified in box 4.D) in the stream, river, or lake (specified in box 8.B).

☒ Yes ☐ No (Skip to box 11)

- D. Will the proposed project require work in the wetted portion of the channel?

☐ Yes (Enclose a plan to divert water around work site)  
☒ No



# NOTIFICATION OF LAKE OR STREAMBED ALTERATION

## 11. PROJECT IMPACTS

A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

The only CDFG jurisdictional habitat that will be impacted by the proposed project is riparian habitat adjacent to an unnamed tributary to Alameda Creek, just south of Andrade Road (Figures 2 and 3). A retaining wall will be constructed in the ruderal grassland habitat adjacent to the riparian corridor, and construction of the wall will result in temporary impacts to the riparian habitat.

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B. Will the project affect any vegetation?

☒ Yes (Complete the tables below) ☐ No

Vegetation Type	Temporary Impact	Permanent Impact
Coast Live Oak Riparian Forest	Linear feet: <u>61</u> Total area: <u>0.036 ac (1568 sq.ft)</u>	Linear feet: _____ Total area: _____
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____

Tree Species	Number of Trees to be Removed	Trunk Diameter (range)
California buckeye (Aesculus californica)	1	7 inches
California bay (Umbellularia californica)	9	2-28 inches
Coast live oak (Quercus agrifolia)	16	3-21 inches

☐ Continued on additional page(s)

C. Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site?

☒ Yes (List each species and/or describe the habitat below) ☐ No ☐ Unknown

☒ Continued on additional page(s)

D. Identify the source(s) of information that supports a "yes" or "no" answer above in Box 11.C.

A search of the California Natural Diversity Database (CNDDB) was conducted in 2006. The results of this search are attached.

☒ Continued on additional page(s)

E. Has a biological study been completed for the project site?

☒ Yes (Enclose the biological study) ☐ No

*Note: A biological assessment or study may be required to evaluate potential project impacts on biological resources.*

F. Has a hydrological study been completed for the project or project site?

☐ Yes (Enclose the hydrological study) ☒ No

*Note: A hydrological study or other information on site hydraulics (e.g., flows, channel characteristics, and/or flood recurrence intervals) may be required to evaluate potential project impacts on hydrology.*



# NOTIFICATION OF LAKE OR STREAMBED ALTERATION

## 12. MEASURES TO PROTECT FISH, WILDLIFE, AND PLANT RESOURCES

A. Describe the techniques that will be used to prevent sediment from entering watercourses during and after construction.

No work will be conducted within the creek channel and all project-related activities will be restricted to a minimum of 14 m (46 ft) from the creek channel. To minimize the potential for impacts to water quality associated with erosion and sedimentation, erosion control measures as outlined in the Caltrans Storm Water Quality Handbook will be identified. These measures will be incorporated into a detailed Stormwater Pollution Prevention Plan (SWPPP) as Best Management Practices (BMPs), and will be implemented as part of the project for erosion control.

☒ Continued on additional page(s)

B. Describe project avoidance and/or minimization measures to protect fish, wildlife, and plant resources.

Pursuant to CEQA and NEPA, Caltrans took measures to avoid and minimize impacts to natural resources during the design phase of the project, to the degree possible. For example, the project design includes construction of retaining walls along the majority of the project alignment to reduce the project footprint and associated potential environmental impacts. To the extent feasible, all project elements were sited in ruderal grassland habitat to avoid impacts to sensitive habitat, special-status species and other natural resources along the project alignment. In addition, most construction access will be from the existing shoulders to avoid potential impacts to natural resources.

☒ Continued on additional page(s)

C. Describe any project mitigation and/or compensation measures to protect fish, wildlife, and plant resources.

To mitigate for impacts due to the proposed project, creation of wetland habitat at a 2:1 ratio, riparian habitat at a 1:1 ratio, and oak woodland habitat at a 3:1 ratio are proposed at the Sabrecat Creek Mitigation Site, located just south of Washington Boulevard adjacent to the northbound lanes of I-680 (KP 7.7/8.4 [PM 4.8/5.2]) (Figure 4). Mitigation proposed at this location includes: creation of approximately 5.14 ac (223,898 sq. ft.) of coastal oak woodland; restoration of approximately 0.72 ac (31,363 sq. ft.) of riparian habitat; and creation of approximately 0.42 ac (18,295 sq. ft.) of wetland habitat. Compensation for impacts to federally-listed species habitat specific to California tiger salamander, California red-legged frog, and Alameda whipsnake will be mitigated by purchasing credits at an approved mitigation bank such as Ohlone Mitigation Bank.

☒ Continued on additional page(s)

## 13. PERMITS

List any local, state, and federal permits required for the project and check the corresponding box(es). Enclose a copy of each permit that has been issued.

- |    |   |   |                                 |
|----|---|---|---------------------------------|
| A. | USACE Section 404 Nationwide Permits #14 and #27  | <input checked="" type="checkbox"/> Applied | <input type="checkbox"/> Issued |
| B. | Regional Water Quality Control Board Section 401 Permit   | <input checked="" type="checkbox"/> Applied | <input type="checkbox"/> Issued |
| C. |   | <input type="checkbox"/> Applied            | <input type="checkbox"/> Issued |
| D. | Unknown whether <input type="checkbox"/> local, <input type="checkbox"/> state, or <input type="checkbox"/> federal permit is needed for the project. (Check each box that applies) |   |                                 |

☐ Continued on additional page(s)



# NOTIFICATION OF LAKE OR STREAMBED ALTERATION

## 14. ENVIRONMENTAL REVIEW

A. Has a draft or final document been prepared for the project pursuant to the California Environmental Quality Act (CEQA), National Environmental Protection Act (NEPA), California Endangered Species Act (CESA) and/or federal Endangered Species Act (ESA)?

- ☒ Yes (Check the box for each CEQA, NEPA, CESA, and ESA document that has been prepared and enclose a copy of each)  
☐ No (Check the box for each CEQA, NEPA, CESA, and ESA document listed below that will be or is being prepared)

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Notice of Exemption             | <input type="checkbox"/> Mitigated Negative Declaration         | <input checked="" type="checkbox"/> NEPA document (type): <u>IS/FONSI</u>             |
| <input type="checkbox"/> Initial Study                   | <input type="checkbox"/> Environmental Impact Report            | <input type="checkbox"/> CESA document (type): _____                                  |
| <input checked="" type="checkbox"/> Negative Declaration | <input type="checkbox"/> Notice of Determination (Enclose)      | <input checked="" type="checkbox"/> ESA document (type): <u>Biological Evaluation</u> |
| <input type="checkbox"/> THP/ NTMP                       | <input type="checkbox"/> Mitigation, Monitoring, Reporting Plan |   |

B. State Clearinghouse Number (if applicable) 199122004

C. Has a CEQA lead agency been determined? ☒ Yes (Complete boxes D, E, and F) ☐ No (Skip to box 14.G)

D. CEQA Lead Agency Caltrans

E. Contact Person Ed Pang F. Telephone Number (510) 286-5609

G. If the project described in this notification is part of a larger project or plan, briefly describe that larger project or plan.

☐ Continued on additional page(s)

H. Has an environmental filing fee (Fish and Game Code section 711.4) been paid?

- ☒ Yes (Enclose proof of payment) ☐ No (Briefly explain below the reason a filing fee has not been paid)

*Note: If a filing fee is required, the Department may not finalize a Lake or Streambed Alteration Agreement until the filing fee is paid.*

## 15. SITE INSPECTION

Check one box only.

- ☒ In the event the Department determines that a site inspection is necessary, I hereby authorize a Department representative to enter the property where the project described in this notification will take place at any reasonable time, and hereby certify that I am authorized to grant the Department such entry.
- ☐ I request the Department to first contact (insert name) \_\_\_\_\_ at (insert telephone number) \_\_\_\_\_ to schedule a date and time to enter the property where the project described in this notification will take place. I understand that this may delay the Department's determination as to whether a Lake or Streambed Alteration Agreement is required and/or the Department's issuance of a draft agreement pursuant to this notification.



## NOTIFICATION OF LAKE OR STREAMBED ALTERATION

### 16. DIGITAL FORMAT

Is any of the information included as part of the notification available in digital format (i.e., CD, DVD, etc.)?

☒ Yes (Please enclose the information via digital media with the completed notification form)

☐ No

### 17. SIGNATURE

I hereby certify that to the best of my knowledge the information in this notification is true and correct and that I am authorized to sign this notification as, or on behalf of, the applicant. I understand that if any information in this notification is found to be untrue or incorrect, the Department may suspend processing this notification or suspend or revoke any draft or final Lake or Streambed Alteration Agreement issued pursuant to this notification. I understand also that if any information in this notification is found to be untrue or incorrect and the project described in this notification has already begun, I and/or the applicant may be subject to civil or criminal prosecution. I understand that this notification applies only to the project(s) described herein and that I and/or the applicant may be subject to civil or criminal prosecution for undertaking any project not described herein unless the Department has been separately notified of that project in accordance with Fish and Game Code section 1602 or 1611.

Ron Tsung for Judy Chen 8-9-07  
Signature of Applicant or Applicant's Authorized Representative Date

Ron Tsung  
Print Name